

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

SUSAN BORLAND,

Plaintiff,

v.

Case No. 10-C-92

MICHAEL J. ASTRUE,
Commissioner of Social Security,

Defendant.

ORDER

Plaintiff Susan Borland has filed a complaint seeking review of the decision of the Commissioner of Social Security. Ordinarily, a plaintiff must pay a statutory filing fee of \$350 to bring an action in federal court. 28 U.S.C. § 1914(a). Plaintiff, however, has requested leave to proceed *in forma pauperis*, pursuant to 28 U.S.C. § 1915.

Section 1915 is meant to ensure indigent litigants meaningful access to federal courts. *Nietzke v. Williams*, 490 U.S. 319, 324 (1989). An indigent plaintiff may commence a federal court action, without paying required costs and fees, upon submission of an affidavit asserting inability “to pay such fees or give security therefor” and stating “the nature of the action, defense or appeal and affiant’s belief that the person is entitled to redress.” 28 U.S.C. § 1915(a)(1).

Plaintiff filed the required affidavit of indigence. Upon review of that affidavit, it appears that plaintiff has failed to sufficiently demonstrate that she is unable to pay the filing fee. The affidavit indicates that plaintiff and her husband own two vehicles and a house. The affidavit further notes that they are making payments on a mortgage, but it does not indicate how much

equity they have in the house. Additionally, plaintiff apparently has the means to pay for internet access, cable television and a cellular phone (in addition to home telephone service).

THEREFORE, IT IS ORDERED that plaintiff's request to proceed *in forma pauperis* is **DENIED**.

IT IS FURTHER ORDERED that plaintiff either pay the full filing fee or provide supplemental information sufficient to establish that she is unable to pay the filing fee within 10 days.

Dated this 4th day of February, 2010.

s/ William C. Griesbach

William C. Griesbach
United States District Judge